

**FOR IMMEDIATE RELEASE**

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## **KYL ANNOUNCES FY09 FUNDING REQUESTS**

*Honors Spirit of the Honest Leadership and Open Government Act*

WASHINGTON, D.C. – U.S. Senator Jon Kyl (R-Ariz.) today announced the fiscal year 2009 funding requests that he has filed with the Senate Appropriations Committee. Kyl's action is in keeping with the spirit of the *Honest Leadership and Open Government Act of 2007*, which requires increased transparency and disclosure of funding requests made by Members of Congress. Although the law only requires that appropriations bills identify individual requests and the Senators who sponsor them, Senator Kyl is releasing the information on his own. The requests are for funds which were not included in the President's proposed FY2009 budget. Kyl urged the Committee to offset additional spending with reductions in other programs under the Committee's jurisdiction.

Senator Kyl receives hundreds of appropriations requests every year and must carefully evaluate them all before recommending any to the Appropriations Committee. To determine which projects to recommend, he considers whether projects are authorized by law and address a public good; whether they further a legitimate federal purpose; whether they are supported by state, local, or tribal governments (or, in the case of defense-related projects, by the Defense Department and/or base commanders); and whether funding is available from alternative sources on a competitive basis. He also considers whether the Appropriations Committee traditionally allocates the entire balance of certain accounts (for example, certain highway and transit accounts) to specified projects; if so, he will consider a request, since absent a recommendation, the Committee will not allocate funding to Arizona from those accounts.

"I cannot support every request for funding every year and still be a responsible steward of taxpayer dollars," said Kyl. "I must set priorities, recognizing that the federal government must live within its means, just as families must do day in and day out. That may also mean, in instances when communities submit similar requests, deferring some of the project requests to another fiscal year."

Congress generally allocates funding according to a two-step process that ensures a thorough vetting: first, approving legislation that authorizes spending and sets the terms for its use; and second, approving appropriations bills that actually fund the authorized projects or programs. When one of these steps is short-circuited, the likelihood increases that wasteful or unnecessary spending will occur.

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Arizona has suffered from devastating wildfires in recent years as a result of drought, insect infestation, and management policies that emphasized fire suppression over healthy management of forest resources. To help restore forest health and mitigate the danger of forest fires, Senator Kyl has requested funds for:

- **Ecological Restoration Institute at Northern Arizona University, Flagstaff, Arizona, \$2 million**

The Ecological Restoration Institute at Northern Arizona University works with federal, state, and private land managers to develop, apply, and monitor science-based hazardous fuels reduction treatments and restore the health of western forests. Funding would be provided for the Institute's work plan, which is designed to develop the information and tools required to restore forest health, as well as economic and social vitality to forest communities.

Authorization: P.L. 108-317, the Southwest Forest Health and Wildfire Prevention Act, which was coauthored by Senator Kyl. Requested by Northern Arizona University on behalf of the Ecological Restoration Institute, which is a recognized leader in forest-health treatment design and implementation.

- **Tonto National Forest, Arizona, for hazardous fuels reduction and forest restoration, \$2 million**

Funding would be used to reduce hazardous fuels and mitigate the risk of forest fires in the Tonto National Forest and to communities in Gila County.

Authorization: P.L. 108-148, the Healthy Forests Restoration Act. Requested by Gila County.

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The existing formula for allocating federal wastewater infrastructure funds under the Clean Water Act is outdated and fails to account for population trends and needs today. As a result, the formula fails to allocate federal dollars fairly. Arizona is the second fastest growing state in the nation, but it ranks among the states that receive the least in terms of the allocation of federal dollars for clean water needs. Senator Kyl is working to change that formula, but in the meantime has requested funding to ensure that Arizona receives a fairer share.

Senator Kyl has requested funds to achieve compliance with federal Clean Water Act mandates according to need, community involvement, and the state's water quality priorities for:

- **Arsenic Removal Project, Surprise, Arizona, \$500,000**

The City of Surprise must design an arsenic removal system to bring drinking water into compliance with federal arsenic standards.

Authorization: The project will help achieve compliance with federal Clean Water Act mandates; State and Tribal Assistance Grant program. Requested by the City of Surprise.

- **Wastewater Treatment Plant, Safford, Arizona, \$1 million**

Funding is requested for the repayment of debt associated with the construction of Safford's wastewater treatment plant in consideration of the fact that the City had foregone some of its water rights to the Gila River Indian Community pursuant to the Arizona Water Settlements Act.

Authorization: State and Tribal Assistance Grant program. Requested by the City of Safford to repay the Arizona Water Infrastructure Finance Authority. The project is in consideration of the City's participation in the Arizona Water Settlements Act, P.L. 108-451.

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To facilitate international trade and cross-border traffic, Senator Kyl requested funding for critical border infrastructure improvements:

- **Mariposa Reconfiguration Project Construction, \$20 million**

Funding will be used to continue construction of the Nogales West port of entry, also known as Mariposa, which is Arizona's largest port of entry from Mexico for commercial traffic, especially during the peak produce season. The reconfiguration will allow passenger vehicles to be processed more efficiently, relieve traffic congestion at the border, and facilitate more thorough security checks. Initial funding was provided for construction in FY2007.

Authorization: General Services Administration, Federal Buildings Fund. The project is supported by the Greater Nogales-Santa Cruz County Port Authority, U.S. Customs and Border Protection, and General Services Administration.

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To help protect Arizona communities from flooding, secure their water supply, and conserve precious water resources, Senator Kyl has requested funding for the following projects, which were requested by government entities in Arizona:

- **Arizona Water Settlements Act implementation, \$2.382 million**

Funding will be provided for preliminary design and environmental compliance on the San Carlos Irrigation Project water diversion and delivery system contemplated under the Arizona Water Settlements Act, P.L. 108-451.

Authorization: Sections 203 and 214(a) of P.L. 108-451, the Arizona Water Settlements Act. Requested by the San Carlos Irrigation and Drainage District.

- **Chula Vista Channel Flood Control Project, \$9.5 million**

Funds will be used to continue construction to promote flood damage reduction, mitigation, and recreation in Chula Vista.

Authorization: Section 101(a)(4) of the Water Resources Development Act of 1990, P.L. 101-640, and modified by Section 303 of the Water Resources Development Act of 1996, P.L. 104-303, Section 302 of WRDA 2000, P.L. 106-541, and Section 3008 of WRDA 2007, P.L. 110-114. The project is to be constructed pursuant to a project cooperation agreement executed between the U.S. Army Corps of Engineers and the Santa Cruz County Flood Control District on December 1, 2005. Requested by Santa Cruz County.

- **Nogales Wash Channel Repair, \$10 million**

Funding will be used to repair the damaged stretch of the Nogales Wash Channel to protect the residents and environment of Southern Arizona from future flooding and a potential health crisis.

Authorization: Section 302 of P.L. 106-541, the Water Resources Development Act (WRDA) of 2000. In that Act, Congress recognized the responsibility of the United States to bear the costs of “flood control problems in Nogales, Arizona, arising from floodwater flows originating in Mexico.” Senator Kyl also requested language to further clarify that the U.S. Army Corps of Engineers is authorized to perform the repairs on the Nogales Wash Channel. Requested by the City of Nogales.

- **Pima-Maricopa Irrigation Project, \$12.7 million increase**

Funding will be used for the construction of the Pima-Maricopa Irrigation Project, which is designed to deliver Central Arizona Project water to the Gila River Indian Reservation.

Authorization: Section 107 of P.L. 108-451, the Arizona Water Settlements Act. See also the report to accompany the Arizona Water Settlements Act, Senate Report 108-360, page 154. The President’s FY2009 budget requested \$11.7 million for the project; Senator Kyl is requesting an additional \$12.7 million. Requested by the Gila River Indian Community.

- **Rio de Flag Flood Control Project, Flagstaff, Arizona, \$8 million**

Funding will help provide flood control protection for Flagstaff. A large flood could displace half of Flagstaff’s more than 61,000 residents, and destroy approximately 1,500 structures valued at more than \$400 million.

Authorization: Section 3005 of P.L. 110-141, Title III, and Section 101(b)(3) of P.L. 106-541. Requested by the City of Flagstaff.

- **Tres Rios Flood Control and Restoration Project, \$20 million**

Funding will allow the U.S. Army Corps of Engineers to continue construction of the flood protection features of the Tres Rios Flood Control and Restoration Project, which will provide vital protection for the 91<sup>st</sup> Avenue Wastewater Treatment Plant. The plant is vulnerable to changing flood conditions on the Salt River and flooding during a 100-year flood.

Authorization: Section 101(b)(4) of P.L. 106-541, the Water Resources Development Act of 2000. Requested by the City of Phoenix.

- **Trilby Wash (McMicken Dam) Feasibility Study, \$500,000**

Funding will be used for a feasibility study that will develop alternatives for the overall rehabilitation or replacement of McMicken Dam (originally named “Trilby Wash Detention Basin Dam”), inclusive of environmental studies in sufficient detail to select an alternative that will provide long-term flood protection to the same or greater level provided by McMicken Dam. Funding will fulfill a portion of the U.S. Army Corps of Engineers’

obligations under the *Agreement Between the Department of the Army and the Flood Control District of Maricopa County for the Trilby Wash, Maricopa County Arizona Feasibility Study* dated August 18, 2004.

Authorization: Flood Control Act of 1938, P.L. 75-761; House Resolution 2425 dated May 17, 1994. Requested by Maricopa County.

- **Winslow Levee Continuing Feasibility Study, \$500,000**

Funding will be used to conduct the first phase of a feasibility study to consider ways to repair or replace the Winslow Levee in order to improve flood control protection in Navajo County.

Authorization: Flood Control Act of 1938, P.L. 75-761; House Resolution 2425 dated May 17, 1994. Requested by Navajo County.

- **Yuma Desalting Plant, report language**

Senator Kyl requested *report language* directing the Bureau of Reclamation, within the funds provided to the Colorado River Basin Salinity Control Project, Title I, to dedicate sufficient funds to the Yuma Desalting Plant so that it is one-third operational by the end of calendar year 2008, and to provide Congress with a report no later than March 1, 2009 on the plant's operational status. The Bureau's failure to run the desalter has resulted in losses of approximately 100,000 acre-feet of water per year from storage in Colorado River reservoirs.

Authorization: Title I of the Colorado River Basin Salinity Control Act, P.L. 93-320. Requested by the Central Arizona Water Conservation District.

- **Yuma Wetlands Restoration Project, \$1.5 million**

Funds will be used to further enhance the East and West Wetlands, including the North and South Channel projects; undertake natural bankline revegetation of the Colorado River; and plan and implement wetlands restoration in the area surrounding the confluence of the Gila and Colorado Rivers, representing the eastern edge of the project area. The project will also conserve water and reduce fire hazards.

Authorization: Section 8 of P.L. 106-319, the Yuma East Wetlands Restoration Project is one of the programs in the general plan of the Yuma Crossing. The City of Yuma, National Fish and Wildlife Foundation, the Arizona Game and Fish Department, the Arizona Water Protection Fund, and the Quechan Indian Nation are some of the financial partners that have already committed to the project. Requested by the City of Yuma.

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Senator Kyl requested funding to help protect crime victims' rights and fulfill other federal law enforcement responsibilities:

- **Crime Victims' Legal Services, \$11 million**

Senator Kyl urged the Appropriations Committee to fully fund crime victims' legal services, and provide legal counsel and support services to victims seeking enforcement of their rights under the Crime Victims' Rights Act.

Authorization: P.L. 108-405, the Scott Campbell, Stephanie Roper, Wendy Preston, Louarna Gillis, and Nila Lynn Crime Victims' Rights Act. Requested by Senator Kyl to implement that Act, which he cosponsored with Senator Feinstein.

- **Debbie Smith DNA Backlog Grant Program, \$3.7 million increase**

Senator Kyl urged the Appropriations Committee to fully fund the Debbie Smith DNA Backlog Grant Program, which is needed to reduce the enormous national backlog of offender profiles and untested DNA evidence. Additional funding will also help solve current cases and get dangerous criminals off the street so that additional violent crimes are prevented.

Authorization: P.L. 108-405, Section 202 of the Justice for All Act. The President's FY2009 budget requested \$147.3 million for the project. Senator Kyl is requesting an additional \$3.7 million.

- **Tribal Law Enforcement and Detention Facilities, emphasizing the importance of federal funding**

Senator Kyl emphasized with the Appropriations Committee the importance of federal funding for tribal law enforcement agencies and tribal detention facility construction and staffing. Federal funding of tribal law enforcement and detention facilities is necessary to fulfill the United States' trust responsibility to ensure public safety on tribal lands.

Authorization: This is a programmatic request reflecting Senator Kyl's policy objectives.

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Arizona is a donor state under the existing formula for allocating federal highway funds, meaning that the state sends more gas tax revenues to Washington, D.C. than it receives back for transportation improvements. Senators Kyl and McCain helped win an increase in the share of funds Arizona receives from the formula: from 86 cents on the dollar before 1998 to 91.5 cents on the dollar. Senator Kyl continues to fight for an even better return.

Compounding the problem of Arizona being a donor state is the fact that funds from several federal transportation accounts are allocated entirely by the members of the House and Senate Appropriations Committees, not according to any formula at all. If requests are not made for specific projects, Arizona will not receive funding from those accounts. To ensure that Arizona does not fall even further behind as a result of that practice, Senator Kyl has requested funds for important transportation priorities. For example:

- **Tillman-O'Callaghan Bridge (Hoover Dam Bypass Bridge), construction, \$19 million**

The new Tillman-O'Callaghan Bridge will divert traffic from its current route across the top of Hoover Dam, resolving significant safety and national security concerns. It is a federal

project being built on federal land. The improved route will facilitate interstate commerce in the southwestern United States.

See the section introduction above for account information. Requested by the Arizona Department of Transportation.

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Senator Kyl requested funding for the following defense programs, which reflect his strategic priorities or are in support of requests from military base commanders or Defense Department representatives. Unless otherwise noted, the defense projects were requested in both the defense authorization and defense appropriations bills for FY2009.

***Arizona Projects:***

- **Air Traffic Control (ATC) Radar, Fort Huachuca, \$2 million**

Additional floor space is to be provided to house a new ATC system, enhance ATC radar mission capability at Libby Army Airfield, and meet OSHA equipment separation standards. Implementation of the new Defense Advanced Automation System (DAAS) will also enhance controllers' ability to provide air traffic control radar support for assigned Unmanned Aerial Systems, U.S. Army Aviation, the U.S. Air Force, the Air National Guard Bureau, U.S. Forest Service, and the Department of Homeland Security, as well as reduce safety hazards to pilots and flight crews.

Authorization: Senator Kyl requested authorization in the FY2009 defense authorization bill. The project is Ft. Huachuca's number one priority.

- **Field Maintenance Shop, Florence, Arizona, \$16.191 million**

Construction of a 19,800-square-foot maintenance shop responsible for maintenance of Arizona Army National Guard military vehicles and equipment.

Authorization: Senator Kyl requested authorization in the FY2009 defense authorization bill. Requested by the Arizona National Guard Adjutant General.

- **Fire/Crash Rescue Station, Davis-Monthan Air Force Base, Arizona, \$13.4 million**

Construction of a Fire/Crash Rescue Station to house personnel, equipment, and vehicles in support of both aircraft emergencies (crash and rescue) and facility fires. The facility would also house the central fire alarm system for the base.

Authorization: Senator Kyl requested authorization in the FY2009 defense authorization bill. The project is Davis-Monthan AFB's number one priority.

- **Replacement Runway, Luke Air Force Base, Arizona, \$9.5 million**

Funding will be used to repair Luke AFB's Runway 03L-21R to ensure it can support the over 10,000 flight operations taking place monthly at the base and meet the training requirements of over 1,000 pilots annually.

Authorization: Senator Kyl requested authorization in the FY2009 defense authorization bill. The project is Luke AFB's number one priority.

- **Special Operations Forces Free-Fall Simulator, Yuma Proving Ground, \$9.7 million**

For the construction of a new free-fall training simulator to train Special Operations Forces, which were moved to the Yuma Proving Ground some years ago.

Authorization: Senator Kyl requested authorization in the FY2009 defense authorization bill. This project is reflected on the United States Special Operations Command unfunded priority list.

***Other Projects:***

- **Space-Based Space Surveillance (SBSS) Training**

Funding is needed to accelerate the development of training materials, technical orders, and training and simulation environments to train Air Force blue-suit operators of the SBSS Block 10 program.

Authorization: Senator Kyl requested that the committees consider the importance of this program. The Air Force identified an unfunded requirement of \$27.3 million.

- **Space Environmental Situational Awareness (SESA)**

Funding is needed to provide ground-based space-sensing and space-weather modeling.

Authorization: Senator Kyl requested that the committees consider the importance of this program. The Air Force identified an unfunded requirement of \$9.4 million.

***Report Language:***

- **Minuteman III: Request for Report Language**

Senator Kyl requested *report language* directing the Air Force to study the long-term sustainment plan for Minuteman III through its expected end-of-life cycle, and to begin studying a follow-on system.

Authorization: Senator Kyl requested report language to accompany the FY2009 defense authorization bill. This is a programmatic request reflecting Senator Kyl's policy objectives.

***Senator Kyl also recommended programs for the Committee to review to determine whether they merit support:***

- **Aegis Direct Phase Intercept (Left Hook)**



The Left Hook program would implement a near-term upgrade of ascent-phase intercept capability for forward-based Aegis ships, providing the ability to intercept missiles early in flight.

- **Engage on Remote Capability**

This program would provide the necessary systems engineering and analysis to incorporate Engage on Remote Capability (Aegis-using information from a forward-based radar) to improve defenses around Aegis ships.

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The following funds were requested in a letter cosigned by Senator Kyl and 48 other Senators:

- **Children's Hospitals Graduate Medical Education Program, increase of \$29 million over FY2008**

Funding for Children's Hospitals Graduate Medical Education helps children's hospitals sustain and improve their teaching programs, as well as increase the number of pediatric specialists.

Authorization: P.L. 106-310. Requested by Phoenix Children's Hospital and the National Association of Children's Hospitals.

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The following funds were requested in a letter cosigned by Senator Kyl and 14 other Senators:

- **Education for Democracy Act, \$35 million**

The Education for Democracy Act funds valuable initiatives that have been proven to increase students' fundamental understanding of democracy, improve the school environment, and increase academic achievement. Independent evaluations testify to the success of these initiatives in promoting civic and economic knowledge; intellectual and participatory skills; and civic dispositions, such as civility, tolerance, respect for the rule of law, and a reasoned commitment to the fundamental values and principles of our constitutional democracy.

Authorization: P.L. 107-110. This is a programmatic request reflecting Senator Kyl's policy objectives.

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